Remarks

Applicant has reviewed the Office Action dated as mailed November 26, 2007 and the documents cited therewith and the present amendment has been prepared in response thereto.

Claims 2 through 11, 13 and 15 through 23 are withdrawn. Claims 1, 12 and 14 are amended. New claim 24 has been added.

The Examiner objected to the drawings because of the labeling and the black shading. Accordingly, replacement drawings are submitted herewith that correct the noted informalities. Approval of the drawing changes is requested.

Further, a description of the AAU found in Figure 8 has been added. It is submitted that no new matter is added by this description as it describes the well known functions of data back-up and serial ports for connecting to peripheral devices. Minor editorial changes have also been made to the application. Regarding Paragraph 6 of the Office Action an abstract has been added.

Regarding paragraph 5 of the Office Action, in Australia the specification (whether it is a provisional, a standard or an innovation patent specification) is filed in connection with an application number. There is only a single priority document for the Australian application.

Regarding paragraph 7 of the Office Action, the language objected to by the Examiner has been deleted.

Regarding paragraph 8 of the Office Action, Digicor is the name of a corporation that was used to collect and compile the data. York is the trademark of the control system to raise and lower an axle and has been capitalized.

Regarding paragraphs 9, 10, 11 and 13 of the Office Action, the specification and claims have been amended to correct the informalities noted by the Examiner.

Regarding paragraph 12 of the Office Action, an Information Disclosure Statement listing the references is being submitted separately.

Regarding the rejection under Section 112, claim 1 as amended sets forth a method for measuring both the dynamic mass excursion in response to a unit impulsive load and the oscillation frequency of at least one suspension component of a vehicle suspension. These two measured variables are then used in determining the two calculated parameters in Claim 1 paragraph (c), namely the dampening ratio and the maximum oscillation frequency of the at least one suspension component. Together, these two calculated parameters define the "road-friendliness" of the suspension of the vehicle.

The connection between the measurement of the variables and then the use of the measured variables in the determination of the calculated parameters has also been clarified although the actual formula used to calculate the calculated parameters has not been included in claim 1 as there is more than one formula which could be used, the selection of which and the actual calculation is within the ambit of a person having ordinary skill in the art.

Claim Rejections – 35 USC § 102

With regard to the rejection of the claims under is section, the applicant notes that Vanhala arguably contains disclosure of the parameter, impact loading. We note that Vanhala does not disclose the measurement of two variables taught in amended claim 1, does not disclose the measurement of impulsive loads at all and does not disclose the calculation of the particular calculated parameters set forth in amended claim 1. We therefore submit that the rejection under 35 USC § 102 has been obviated.

In summary it is submitted that the pending claims are allowable and that the application is in a condition for allowance. If the Examiner has any questions about the present Amendment a telephone interview is requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4365.

Respectfully submitted,

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